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Subject: Microsoft Settlement

I am opposed to the settlement proposed by the US DOJ and nine settling states for several reasons:

- A) It lacks an effective enforcement mechanism. Any violation of the settlement by Microsoft would be met with swift... nothing. Only after a long delay and more court time could any violation be addressed. The three-person oversight committee is effectively gagged, disallowing public knowledge of potential Microsoft wrongdoings.
- B) File formats for various Microsoft applications remain secret, disallowing effective interoperability for potential competing software.
- C) Microsoft can retaliate against OEMs that provide systems that have been configured with only a non-Microsoft operating system.
- D) The settlement contains numerous loopholes that could allow Microsoft to effectively bypass prohibitions on some practices that are intended to be eliminated by the terms of the settlement.
- E) The settlement does nothing to deny Microsoft the fruits of the abuse of its monopoly position.

Microsoft is a convicted monopolist. The 1995 consent decree against Microsoft was ineffective due to its ineffective enforcement mechanisms, and Microsoft's blatant disregard for its terms. Microsoft has shown that it can, and will, protect its monopoly by stretching and breaking the law.

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